

Message Text

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ORIGIN EB-08

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O 102224Z MAR 78
FM SECSTATE WASHDC
TO USINT HAVANA IMMEDIATE

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STADIS//////////

E.O. 11652: N/A

TAGS: EAIR, CU, RQ

SUBJECT: CUBANA CHARTER FLIGHT TO PUERTO RICO

REF: (A) 77 STATE 295598; (B) 77 STATE 266259; (C)
HAVANA 605

1. AS ANTICIPATED BY USINT, CAB AND DEPARTMENT RECEIVED
NOTE FROM CUBAINT REQUESTING AUTHORITY TO OPERATE A
HAVANA-SAN JUAN CHARTER FLIGHT ON MARCH 16 AND ON
MARCH 27. THE FIRST FLIGHT WILL PICK UP "ATHLETES AND
TOURISTS" IN SAN JUAN AND THE SECOND WILL RETURN THEM.
THE NOTE STATES NO PASSENGERS WILL BE CARRIED ON THE
OTHER LEGS. NEVERTHELESS, THERE MAY BE A PROBLEM WITH
THIS FLIGHT.

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2. CAB IS NOT INCLINED TO APPROVE THIS FLIGHT NOR ANY
OTHERS UNLESS AND UNTIL CUBANA COMPLIES WITH CAB CHARTER
REQUIREMENTS IMPOSED ON ALL FOREIGN AIRLINES. THESE
REQUIREMENTS WERE DESCRIBED IN PARA 3 REFTEL A. WHEN
DEPTOFF POINTED OUT TO CAB THAT REFTEL ALSO ADVISED
CUBANS THAT THEY COULD OPERATE SIX CHARTER FLIGHTS PER

YEAR BEFORE COMPLYING WITH CAB REGULATIONS, CAB INDICATED THEY WOULD "PERHAPS BE ABLE TO APPROVE THIS ONE." CLEARLY, THE CAB IS EXASPERATED WITH THE CUBANS FOR FAILING TO AT LEAST MAKE AN EFFORT TO FULFILL REQUIREMENTS HONORED BY OTHER FOREIGN AIRLINES. DEPTOFF ALSO LEARNED THAT SIX FLIGHTS PER YEAR HERETOFOR ALLOWED CUBANS WITHOUT COMPLIANCE IS A COURTESY NOT AN OBLIGATION AND IS ONLY APPLICABLE TO A CERTAIN CATEGORY OF COMMERCIAL FLIGHTS. IN THE CAB'S OPINION, THIS FLIGHT DOES NOT FIT IN THAT CATEGORY.

3. DEPARTMENT, ON THE OTHER HAND, PREFERS THAT CAB APPROVE THIS FLIGHT. UNLIKE LAST MONTH'S REQUEST, CUBANA AT LEAST HAS PROVIDED SUFFICIENT PRIOR NOTICE (HOWEVER, NOT THE 15 DAYS REQUESTED IN REFTEL B). FURTHER, DEPARTMENT IS UNCOMFORTABLE WITH DENYING A CUBANA REQUEST WHICH IF NOT TO THE LETTER AT LEAST IN SPIRIT IS COMMENDABLE. ALSO, NOT LEAST AMONG OUR CONCERNS IS THOUGHT THAT CUBANS MAY DECIDE TO BECOME AS "HARDNOSED" AS THEY PERCEIVE US TO BE, WHICH MIGHT JEOPARDIZE USINT FLIGHTS.

4. AFTER EXTENSIVE DISCUSSION, THE CAB, WHILE NOT ENTHUSIASTIC, WILL NOW CONSIDER APPROVING PROPOSED FLIGHT. HOWEVER BEFORE THEY DO, MORE DATA IS NEEDED. REQUEST USINT CONTACT APPROPRIATE CUBANA OFFICIALS AND LIMITED OFFICIAL USE

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NOTIFY DEPT OF:

(A) NUMBER OF PASSENGERS EACH LEG OF MAR. 16 AND 27 FLIGHTS;

(B) HOW MANY PAX ARE ATHLETES; HOW MANY ARE TOURISTS; AND

(C) WHO CHARTERER IS (I.E. WHO IS PAYING CUBANA TO FLY US CITIZENS TO HAVANA?)

FYI: SHOULD A QUESTION ARISE, NOTE THAT ABOVE IS NOT AN UNUSUAL REQUEST. THIS KIND OF DATA IS CUSTOMARILY PROVIDED REGULATORY BODIES IN OTHER COUNTRIES. PURPOSE, AMONG OTHER REASONS, IS TO ENSURE PROPOSED CHARTER IS INDEED WHAT IT PURPORTS TO BE.

5. DEPT ALSO REQUESTS USINT AGAIN REMIND CUBANS THAT ALL FOREIGN AIRLINES WHICH SEEK TO OPERATE COMMERCIAL FLIGHTS TO OR FROM THE US MUST COMPLY WITH CERTAIN STATUTORY AND REGULATORY PROVISIONS. PRIOR NOTIFICATION IS SIMPLY ONE ITEM; THE REST OF THE MAJOR CAB ITEMS ARE

IN PARA 3 REFTTEL A. IN THIS CONTEXT, THE CAB HAS AGAIN
EXTENDED AN INVITATION FOR CUBANA OFFICIALS TO COME TO
WASHINGTON FOR A MORE THOROUGH DISCUSSION OF THIS
HIGHLY TECHNICAL SUBJECT. WHILE THE TIME IS NOT
PROPITIOUS TO DISCUSS RESUMPTION OF SCHEDULED COMMERCIAL

SERVICE, A REVIEW OF PROCEDURES APPLICABLE TO THE OTHER
FLIGHT CATEGORIES (NON-SCHEDULED COMMERCIAL, PRIVATE
AND "STATE" AIRCRAFT) WILL BE VALUABLE. DISCUSSION
WOULD NOT HAVE TO LAST LONGER THAN ONE DAY AND WOULD
INCLUDE SMALL GROUP OF CAB, FAA, AND DEPARTMENT AVIATION
PERSONNEL. VANCE

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